

ORDINANCE NO. 472

AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING THE NORTH APPROXIMATELY SIXTY EIGHT FEET OF THIRTY FOURTH STREET IN MEXICO BEACH, FLORIDA, MORE PARTICULARLY DESCRIBED BELOW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND, ESTABLISHING AN EFFECTIVE DATE.

Begin at the Northwesterly corner (also the most Northerly corner) of Lot 7, Block "4", Mexico Beach Unit No. 6, as per plat thereof recorded in Plat Book 7, Page 75 of the Public Records of Bay County, Florida and run thence South 33 degrees 56 minutes 33 seconds West along the Northwesterly boundary line of said Lot 7, Block "4" for 68.40 feet; thence leaving said Northwesterly boundary line run North 56 degrees 03 minutes 27 seconds West for 50.00 feet to the Southeasterly boundary line of Lot 1, Block "3" of said Mexico Beach Unit No. 6; thence North 33 degrees 56 minutes 33 seconds East along the Southeasterly boundary line for 68.40 feet to the Northeasterly corner (also most Easterly corner) of said Lot 1, Block "3"; thence South 56 degrees 03 minutes 27 seconds East for 50.00 feet to the Point of Beginning. Containing 0.079 acre, more or less. (the "Right of Way").

WHEREAS, the City Commissioners of the City of Mexico Beach, Florida have determined to vacate, discontinue, abandon and close the Right of Way in Mexico Beach, Florida, more particularly described hereinafter, and

WHEREAS, the Petitioners Olson & Associates of NW Florida, Inc., The Cottages at Harbor Landings, LLC and The Condominium at Harbor Landings, LLC are all of the owners abutting the Right of Way and petitioned the City of Mexico Beach, Florida, for the above-referenced abandonment, and

WHEREAS, the Right of Way is an unused, dead-end street that provides no benefit to the public, and

WHEREAS, the Petitioners have agreed to release and hold the City of Mexico Beach, Florida harmless from any and all claims, suits, actions, causes of actions,

responsibilities, duties and liabilities of any nature in kind whatsoever that may arise by reason of said abandonment, and

WHEREAS, notice in accordance with applicable law has been given to all persons by publication and the Commissioners have determined, after hearing of all interested persons, that the vacating and abandoning of the Right of Way would not be in derogation of the public rights or the needs of the City of Mexico Beach, Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF MEXICO BEACH, FLORIDA:

Section 1. The North Approximately Sixty Eight Feet of Thirty Fourth Street in Mexico Beach, Florida is described as follows:

Begin at the Northwesterly corner (also the most Northerly corner) of Lot 7, Block "4", Mexico Beach Unit No. 6, as per plat thereof recorded in Plat Book 7, Page 75 of the Public Records of Bay County, Florida and run thence South 33 degrees 56 minutes 33 seconds West along the Northwesterly boundary line of said Lot 7, Block "4" for 68.40 feet; thence leaving said Northwesterly boundary line run North 56 degrees 03 minutes 27 seconds West for 50.00 feet to the Southeasterly boundary line of Lot 1, Block "3" of said Mexico Beach Unit No. 6; thence North 33 degrees 56 minutes 33 seconds East along the Southeasterly boundary line for 68.40 feet to the Northeasterly corner (also most Easterly corner) of said Lot 1, Block "3"; thence South 56 degrees 03 minutes 27 seconds East for 50.00 feet to the Point of Beginning. Containing 0.079 acre, more or less. (the "Right of Way").

be and the same is hereby vacated and abandoned.

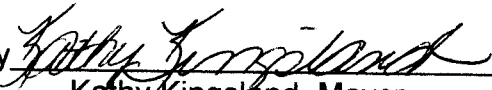
Section 2. Title to the Right of Way shall vest in the persons, firms, corporations or entities entitled thereto in accordance with the law.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This ordinance shall take effect upon its passage.

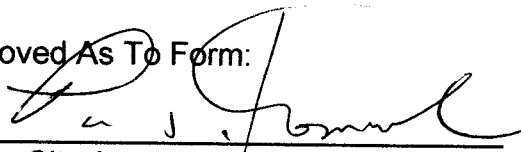
PASSED APPROVED AND ADOPTED at the regular meeting of the City Council
of the City of Mexico Beach, Florida, this 10th day of August, 2004.

CITY OF MEXICO BEACH, FLORIDA

By 
Kathy Kingsland, Mayor

ATTEST:

By 
Henry Flack, City Clerk

Approved As To Form:
By: 
City Attorney, Paul Komarek